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Additional documents attached

(Rev. 06/05) Judgment in a Criminal Case Sheet 1 - D. Massachusetts - 10/05

UNITED STATES DISTRICT COURT

District of Massachusetts

UNITED STATES OF AMERICA

Defendant's Attorney

V.

RASHIEK T. CANNON

| UMINAL CASE |
|-------------|
| |

| Case Number. 1. 04 CK 10337 | - 001 - NIEE |
|-----------------------------|--------------|
| USM Number: 26274-038 | |
| Edward L. Hayden | |

| THE DEFENDAN ✓ pleaded guilty to co ☐ pleaded nolo conten which was accepted ✓ was found guilty on | dere to count(s) by the court. | | |
|---|--|--|-----------------------|
| after a plea of not g | uilty. | | |
| The defendant is adjud | icated guilty of these offenses: | Additional Counts - S | See continuation page |
| Title & Section | Nature of Offense | Offense E | Cnded Count |
| 18 USC § 922(g)(1) | Felon in Possession of a Firearm and Amm | unition 10/15/04 | 4 1 |
| the Sentencing Reform The defendant has be Count(s) | peen found not guilty on count(s) | dismissed on the motion of the United S ttorney for this district within 30 days of a ints imposed by this judgment are fully pair rial changes in economic circumstances. | tates. |
| | | 10/30/07 | |
| | | Date of Imposition of Judgment Signature of Judge | |
| | | The Honorable Morris E. Lasker | |
| | | Senior Judge, U.S. District Court | t |
| | | Name and Title of Judge | |
| | | 2 14.08 | |
| | | Date | |

SAO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 2 - D. Massachusetts - 10/05

| RASHIEK T. CANNON | Judgment - | - Page | 2 of | 10 |
|---|---------------|----------|---------|----|
| CASE NUMBER: 1: 04 CR 10357 - 001 - MEL | | | | |
| IMPRISONMENT | | | | |
| The defendant is hereby committed to the custody of the United States Bureau of Prisons total term of: 70 month(s) | s to be impri | soned fo | ra | |
| The defendant is to be credited with time served from 10/20/06 to present. | | | | |
| ✓ The court makes the following recommendations to the Bureau of Prisons: | | | | |
| That the defendant participate in the Bureau of Prisons 500-Hour Residential | Drug Trea | tment l | Program | |
| The defendant is remanded to the custody of the United States Marshal. | | | | |
| The defendant shall surrender to the United States Marshal for this district: | | | | |
| at | | | | |
| as notified by the United States Marshal. | | | | |
| The defendant shall summed as for somice of contains a table in with the design and 1 | D CD | | | |
| The defendant shall surrender for service of sentence at the institution designated by the | Bureau of P | risons: | | |
| before 2 p.m. on | | | | |
| as notified by the United States Marshal. | | | | |
| as notified by the Probation or Pretrial Services Office. | | | | |
| RETURN | | | | |
| I have executed this judgment as follows: | | | | |
| | | | | |
| | | | | |
| Defendant delivered on to | | | | |
| a, with a certified copy of this judgment. | | | | |
| | | | | |
| τ | JNITED STAT | ES MARS | HAL | |
| Rv | | | | |
| By | TY UNITED S | TATES M | IARSHAL | |

Case 1:04-cr-10357-MEL Document 28 Filed 02/14/2008 Page 3 of 10

AO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 3 - D. Massachusetts - 10/05

| DEFENDAN | RASHIEK T. CANNON | Judgment—Page 3 of 10 |
|----------------------------|--|--|
| CASE NUMB | | See continuation page |
| Upon release fr | rom imprisonment, the defendant shall be on supervised release for a term of : | 3 year(s) |
| The defen custody of the I | dant must report to the probation office in the district to which the defendant Bureau of Prisons. | is released within 72 hours of release from the |
| The defendant | shall not commit another federal, state or local crime. | |
| substance. The | shall not unlawfully possess a controlled substance. The defendant shall refract defendant shall submit to one drug test within 15 days of release from impristo exceed 50 tests per year, as directed by the probation officer. | ain from any unlawful use of a controlled sonment and at least two periodic drug tests |
| future sub | e drug testing condition is suspended, based on the court's determination that ostance abuse. (Check, if applicable.) | the defendant poses a low risk of |
| The defen | dant shall not possess a firearm, ammunition, destructive device, or any other | dangerous weapon. (Check, if applicable.) |
| The defen | dant shall cooperate in the collection of DNA as directed by the probation of | ficer. (Check, if applicable.) |
| 1 1 | idant shall register with the state sex offender registration agency in the state is directed by the probation officer. (Check, if applicable.) | where the defendant resides, works, or is a |
| The defen | dant shall participate in an approved program for domestic violence. (Check | , if applicable.) |
| If this judg | gment imposes a fine or restitution, it is a condition of supervised release that yments sheet of this judgment. | the defendant pay in accordance with the |

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Case 1:04-cr-10357-MEL Document 28 Filed 02/14/2008 Page 4 of 10 **№**AO 245B(05-MA) (Rev. 06/05) Judgment in a Criminal Case Sheet 4A - Continuation Page - Supervised Release/Probation -10/05 Judgment—Page ____4 of _ **RASHIEK T. CANNON DEFENDANT:** CASE NUMBER: 1: 04 CR 10357 - 001 - MEL ADDITIONAL ✓ SUPERVISED RELEASE ☐ PROBATION TERMS The defendant is to participate in a program for substance abuse counseling as directed by the United States Probation Office, which program may include testing, not to exceed 50 drug tests per year, to determine whether the defendant has reverted to the use of alcohol or drugs. The defendant shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third party payment.

Continuation of Conditions of Supervised Release Probation

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SAO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 5 - D. Massachusetts - 10/05

| Judgment — Page | 5 | of | 10 | |
|-----------------|---|----|----|--|
| | | | | |
| TTO. | | | | |
| TIES | | | | |

| DEFENDAN | NI: | T. CANNON | e en e | Judgmei | nt — Page or |
|--|---|--|--|---|--|
| CASE NUM | BER: 1: 04 CR | 10357 - 001 - M CRIMINAL | | Y PENALTIES | |
| The defer | ndant must pay the tot | al criminal monetary po | enalties under the s | schedule of payments on | Sheet 6. |
| TOTALS | Assessment \$10 | 00.00 | Fine \$ | \$ | Restitution |
| | mination of restitution determination. | n is deferred until | An Amended | d Judgment in a Crimin | nal Case (AO 245C) will be entered |
| The defer | ndant must make resti | tution (including comm | unity restitution) to | o the following payees in | the amount listed below. |
| If the def the priori before the | endant makes a partial ty order or percentage e United States is paid | l payment, each payee s payment column belov l. | shall receive an app w. However, purs | proximately proportioned uant to 18 U.S.C. § 3664 | payment, unless specified otherwise (i), all nonfederal victims must be pa |
| Name of Pay | <u>ee</u> | Total Loss* | Re | stitution Ordered | Priority or Percentage |
| | | | | | |
| | | | | | See Continuation Page |
| TOTALS | \$ | \$0. | .00_ \$ | \$0.00 | |
| The defer fifteenth to penal. The cou | endant must pay intered a day after the date of the ties for delinquency an | the judgment, pursuant and default, pursuant to defendant does not have a waived for the | fine of more than \$ to 18 U.S.C. § 361 18 U.S.C. § 3612(go we the ability to pay fine restitu | 2(f). All of the payment g). | ion or fine is paid in full before the options on Sheet 6 may be subject I that: |

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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Judgment — Page _

6 of

SAO 245B(05-MA)

DEFENDANT:

(Rev. 06/05) Judgment in a Criminal Case Sheet 6 - D. Massachusetts - 10/05

RASHIEK T. CANNON

CASE NUMBER: 1: 04 CR 10357 - 001 - MEL

| | SCHEDULE OF PAYMENTS |
|---------|--|
| Hav | ving assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows: |
| A | Lump sum payment of \$\frac{\$100.00}{}\$ due immediately, balance due |
| | not later than in accordance C, D, E, or F below; or |
| В | Payment to begin immediately (may be combined with C, D, or F below); or |
| C | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or |
| D | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or |
| E | Payment during the term of supervised release will commence within |
| F | Special instructions regarding the payment of criminal monetary penalties: |
| | less the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during orisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial exponsibility Program, are made to the clerk of the court. |
| | Joint and Several See Continuatio Page |
| | Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate. |
| | The defendant shall pay the cost of prosecution. |
| | The defendant shall pay the following court cost(s): |
| | The defendant shall forfeit the defendant's interest in the following property to the United States: |
| Pay (5) | ments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs. |

AO 245B (Rev. 06/05) Criminal Judgment
Attachment (Page 1) — Statement of Reasons - D. Massachusetts - 10/05

Judgment — Page 7 of **RASHIEK T. CANNON** DEFENDANT:

CASE NUMBER: 1: 04 CR 10357 - 001 - MEL

DISTRICT: MASSACHUSETTS

STATEMENT OF REASONS

| The court adopts the presentence investigation report with the following changes. (Check all that apply and specify court determination, findings, or comments, referencing paragraph numbers in the presentence report, if applicat (Use Section VIII if necessary.) Chapter Two of the U.S.S.G. Manual determinations by court (including changes to base offense level, or specific offense characteristics): Chapter Three of the U.S.S.G. Manual determinations by court (including changes to victim-related adjustments, role in the offense, obstruction of justice, multiple counts, or acceptance of responsibility): Chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, career offender, or criminal livelihood determinations): Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. If FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. Mandatory minimum sentence imposed. |
|---|
| Chapter Three of the U.S.S.G. Manual determinations by court (including changes to victim-related adjustments, role in the offense, obstruction of justice, multiple counts, or acceptance of responsibility): Chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, career offender, or criminal livelihood determinations): Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. |
| chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, career offender, or criminal livelihood determinations): Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Burcau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. |
| Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. |
| presentence report that the Federal Burcau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. |
| T FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) No count of conviction carries a mandatory minimum sentence. |
| No count of conviction carries a mandatory minimum sentence. |
| |
| Mandatory minimum sentence imposed. |
| |
| One or more counts of conviction alleged in the indictment carry a mandatory minimum term of imprisonment, but the sentence imposed is below a mandatory minimum term because the court has determined that the mandatory minimum does not apply based on |
| findings of fact in this case |
| substantial assistance (18 U.S.C. § 3553(e)) |
| the statutory safety valve (18 U.S.C. § 3553(f)) |
| Γ DETERMINATION OF ADVISORY GUIDELINE RANGE (BEFORE DEPARTURES): |
| ffense Level: History Category: V |
| I History Category: V nment Range: 70 to 87 months |
| sed Release Range: 2 to 3 years nge: \$ 7,500 to \$ 75,000 |
| ffe l l nn |

Case 1:04-cr-10357-MEL Document 28 Filed 02/14/2008 Page 8 of 10

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment

Attachment (Page 2) - Statement of Reasons - D. Massachusetts - 10/05

Judgment - Page 8 of 10 RASHIEK T. CANNON DEFENDANT: CASE NUMBER: 1: 04 CR 10357 - 001 - MEL DISTRICT: **MASSACHUSETTS** STATEMENT OF REASONS ADVISORY GUIDELINE SENTENCING DETERMINATION (Check only one.) Z The sentence is within an advisory guideline range that is not greater than 24 months, and the court finds no reason to depart. The sentence is within an advisory guideline range that is greater than 24 months, and the specific sentence is imposed for these reasons. В (Use Section VIII if necessary.) The court departs from the advisory guideline range for reasons authorized by the sentencing guidelines manual. (Also complete Section V.) D The court imposed a sentence outside the advisory sentencing guideline system. (Also complete Section VI.) DEPARTURES AUTHORIZED BY THE ADVISORY SENTENCING GUIDELINES (If applicable.) The sentence imposed departs (Check only one.): below the advisory guideline range above the advisory guideline range **Departure based on (Check all that apply.):** 1 Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 plea agreement based on the defendant's substantial assistance 5K3.1 plea agreement based on Early Disposition or "Fast-track" Program binding plea agreement for departure accepted by the court plea agreement for departure, which the court finds to be reasonable plea agreement that states that the government will not oppose a defense departure motion. 2 Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 government motion based on the defendant's substantial assistance 5K3.1 government motion based on Early Disposition or "Fast-track" program government motion for departure defense motion for departure to which the government did not object \Box defense motion for departure to which the government objected 3 Other Other than a plea agreement or motion by the parties for departure (Check reason(s) below.): C **Reason(s) for Departure** (Check all that apply other than 5K1.1 or 5K3.1.) Criminal History Inadequacy 4A1.3 5K2.1 Death 5K2.11 Lesser Harm 5H1.1 5K2.2 Physical Injury 5K2.12 Coercion and Duress 5H1.2 Education and Vocational Skills 5K2.3 Extreme Psychological Injury 5K2.13 Diminished Capacity 5H1.3 Mental and Emotional Condition 5K2.4 Abduction or Unlawful Restraint 5K2.14 Public Welfare 5H1.4 Physical Condition 5K2.5 Property Damage or Loss 5K2.16 Voluntary Disclosure of Offense 5H1.5 Employment Record 5K2.6 Weapon or Dangerous Weapon П 5K2.17 High-Capacity, Semiautomatic Weapon 5H1.6 Family Ties and Responsibilities 5K2.7 Disruption of Government Function 5K2.18 Violent Street Gang 5H1.11 Military Record, Charitable Service, 5K2.8 Extreme Conduct 5K2.20 Aberrant Behavior Good Works 5K2.9 Criminal Purpose 5K2.21 Dismissed and Uncharged Conduct 5K2.0 Aggravating or Mitigating Circumstances 5K2.10 Victim's Conduct 5K2.22 Age or Health of Sex Offenders 5K2.23 Discharged Terms of Imprisonment

Other guideline basis (e.g., 2B1.1 commentary)

Case 1:04-cr-10357-MEL Document 28 Filed 02/14/2008 Page 9 of 10

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment

D

Attachment (Page 3) — Statement of Reasons - D. Massachusetts 10/05

DEFENDANT: RASHIEK T. CANNON

CASE NUMBER: 1: 04 CR 10357 - 001 - MEL

| DISTRICT: | | CT: | ASSACHUSETTS | |
|-----------|---------|-------------------------------------|---|---------------------------------------|
| | | | STATEMENT OF REASONS | |
| VI | | URT DET | MINATION FOR SENTENCE OUTSIDE THE ADVISORY GUIDELINE (aly.) | SYSTEM |
| | ☐ belov | | e imposed is (Check only one.): advisory guideline range advisory guideline range | |
| | В | Sentence | posed pursuant to (Check all that apply.): | |
| | | 1 | ea Agreement (Check all that apply and check reason(s) below.): binding plea agreement for a sentence outside the advisory guideline system accepted by the cour plea agreement for a sentence outside the advisory guideline system, which the court finds to be plea agreement that states that the government will not oppose a defense motion to the court to se system | reasonable |
| | | 2 | otion Not Addressed in a Plea Agreement (Check all that apply and check reas government motion for a sentence outside of the advisory guideline system defense motion for a sentence outside of the advisory guideline system to which the government defense motion for a sentence outside of the advisory guideline system to which the government | did not object |
| | | 3 | her Other than a plea agreement or motion by the parties for a sentence outside of the advisory guide. | line system (Check reason(s) below.): |
| | C | Reason(| r Sentence Outside the Advisory Guideline System (Check all that apply.) | |
| | | to refl to affe to pro to pro (18 U | nd circumstances of the offense and the history and characteristics of the defendant pursuant to 18 U e seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense equate deterrence to criminal conduct (18 U.S.C. § 3553(a)(2)(B)) are public from further crimes of the defendant (18 U.S.C. § 3553(a)(2)(C)) he defendant with needed educational or vocational training, medical care, or other correctional treat § 3553(a)(2)(D)) warranted sentencing disparities among defendants (18 U.S.C. § 3553(a)(6)) | ffense (18 U.S.C. § 3553(a)(2)(A)) |
| | | _ | restitution to any victims of the offense (18 U.S.C. § 3553(a)(7)) | |

Explain the facts justifying a sentence outside the advisory guideline system. (UseSection VIII if necessary.)

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Attachment (Page 4) — Statement of Reasons - D. Massachusetts - 10/05

Judgment — Page 10 of

10

DEFENDANT: CASE NUMBER: **RASHIEK T. CANNON**

1: 04 CR 10357 - 001 - MEL

DISTRICT:

MASSACHUSETTS

STATEMENT OF REASONS

| VII COURT DETERMINATIONS OF RESTITUTION | | | | | | | |
|---|-------|------------|--------|--|---|--|--|
| | A | \ \ | Res | estitution Not Applicable. | | | |
| | В | Tota | l Am | mount of Restitution: | | | |
| | C | Rest | itutic | ion not ordered (Check only one.): | | | |
| | | 1 | | For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, identifiable victims is so large as to make restitution impracticable under 18 U.S.C. | | | |
| | | 2 | | For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, issues of fact and relating them to the cause or amount of the victims' losses would that the need to provide restitution to any victim would be outweighed by the burder | complicate or prolong the sentencing process to a degree | | |
| | | 3 | | For other offenses for which restitution is authorized under 18 U.S.C. § 3663 and/or ordered because the complication and prolongation of the sentencing process resulting the need to provide restitution to any victims under 18 U.S.C. § 3663(a)(1)(B)(ii). | | | |
| | | 4 | | Restitution is not ordered for other reasons. (Explain.) | | | |
| | D | | Part | rtial restitution is ordered for these reasons (18 U.S.C. § 3553(c)): | | | |
| VIII ADDITIONAL FACTS JUSTIFYING THE SENTENCE IN THIS CASE (If applicable.) | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | Se | Sections I, II, III, IV, and VII of the Statement of Reasons form must be | be completed in all felony cases. | | |
| Defe | ndant | 's Soc | . Sec | 10/3 | of Imposition of Judgment 30/07 | | |
| Defe | ndant | 's Dat | e of | f Birth: 00-00-81 | lung Carles | | |
| Defe | ndant | 's Res | iden | | ture of Judge rable Morris E. Lasker Senior Judge, U.S. District Co | | |
| Defe | ndant | 's Mai | iling | | e and Title of Judge 08 as 9 10 30 07 | | |

1 EXCERPT 2 3 THE COURT: Mr. Cannon, would you remain 4 standing. 5 I will not review the calculation of the 6 7 Guidelines. The base offense level is 20. We have been 8 concerned with the question of an additional four points, 9 and I think that the government's argument is reasonable on 10 this basis, especially if I impose a sentence at the bottom 11 of the Guidelines. That makes an adjusted offense level of 12 13 24. 14 You are given credit for pleading guilty here and admitting your responsibility, which reduces it to 21, and 15 16 you have a Criminal Offense Category of V. Against you is the nature of your offense, 17 possession of a firearm and ammunition in the presence at 18 least of drug transactions, as well as prior offenses, 19 20 including possession of a Class B substance, knowingly receiving stolen property, a variety of traffic offenses, 21

you, and conspiracy to violate the drug laws, which resulted

assault on a female who procured a restraining order against

possession of narcotics, and accusation of a personal

25 in earlier imprisonment.

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1 In your favor is the fact that you grew up without 2 a father, and later your mother was unable to be with you, 3 that you're a father from two prior relationships, and you 4 have frankly acknowledged your responsibility in this case. 5 Bearing all these things in mind and the discussion 6 we've just had, I am imposing the following sentence: 7 Pursuant to the Sentencing Reform Act of 1984, and 8 having considered the sentencing factors enumerated at 18 9 United States Code, Section 3553(a), it is the judgment of 10 the Court that the defendant, Rashiek Cannon, is hereby 11 committed to the custody of the Bureau of Prisons to be 12 imprisoned for a term of 70 months. The Court makes the 13 judicial recommendation that the defendant participate in 14 the Bureau of Prisons' 500-Hour Residential Drugs Abuse 15 Program. 16 Upon release from imprisonment you shall be placed 17 on supervised release for a term of three years. Within 72 hours of release from custody of the 18 19 Bureau of Prisons, you shall report in person to the 20 district to which you are released. 21 No fine is imposed, based on my finding that the defendant is unable to pay a fine and is unlikely to become 22 23 able to pay a fine. 24 While on supervised release you shall comply with 25 the following terms and conditions:

1 You are not to commit another offense.

2 You shall refrain from any unlawful use of a

3 controlled substance.

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You shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 50 tests per year, as directed by the Probation Office.

You shall submit to the collection of a DNA sample as directed by the Probation Office.

You shall comply with the standard conditions that have been adopted by the Court of the United States

Sentencing Guidelines Section 5D1.1(c), which will be set for in detail in the judgment.

You are prohibited from possessing a firearm, destructive device or other dangerous weapon.

You are to participate in a program for substance abuse counseling as directed by the United States Probation Office, which might include testing, not to exit 50 drugs tests per year, to determine whether you have reverted to the use of alcohol or drugs. You shall be required to contribute to the cost of services for such treatment based upon your ability to pay or the availability of third-party payment.

It is further ordered that you shall pay to the United States a special assessment of \$100, which shall be

1 due immediately. 2 Mr. Cannon, I wish to advise you that if you and 3 your counsel disagree with the sentence which I have 4 imposed, you have the right to appeal from that, and counsel 5 should take the steps to represent you in that situation. 6 I understand that you disagree with my taking into 7 consideration the fact that you were found with drugs and 8 that that was related to the offense in this case. 9 I wish you well and hope that you've learned to 10 stay out of trouble from now on. 11 You will receive credit for the time you've served 12 of approximately one year, and you will receive further 13 credit, if you behave as I assume you will, of 56 days per 14 year, which will mean a few months more, so that this 15 sentence effectively comes closer to five years than to 70 16 months. I am glad to see your family is here. I hope 17 they'll continue to keep in touch with you and support you, 18 and when you get back out that you can help them too. 19 Thank you all. 20 ...end of excerpt.) 21 22 23 24

25